IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 29617 of 2007(A)

PETITIONER:

RAHEEM.O., S/O HUSSAIN,
AGED 39 YEARS, OLASSERY, P.O.OLAVANNA,
KOZHIKODE DIST.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, KOZHIKODE.

3. THE SUB INSPECTOR OF POLICE, FEROKE, KOZHIKODE.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 29617 OF 2007 A
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Dated this the 22nd October, 2007

J U D G M E N T

Ext. P2 is an order passed by the 2nd respondent in terms of the Kerala Protection of River Banks and Regulation of Removal of Sand Rules, 2002. Ext. P2 shows that the order was passed with notice to the petitioner. As there is a positive finding that what was being transported was river sand in violation of the Rules, Ext. P2 is unassailable. The fine imposed also does not appear to be disproportionate.

Writ petition fails and is dismissed.

ANTONY DOMINIC
JUDGE

jan/-